

III. REMARKS**A. Summary**

In the present Office Action, claims 9-15 and 22 were examined and rejected. Claims 1-8 and 16-21 were withdrawn from consideration as being drawn to a nonelected claimed invention. By this amendment, claims 1-8 and 16-21 are canceled without prejudice, claims 14 and 22 are amended, and claims 23-29 are added. Accordingly, claims 9-15 and 22-29 are pending for further examination. No new matter has been added.

Favorable reconsideration of this application in light of the above-identified amendments and following discussion is respectfully requested.

B. Explanation of Above Amendments

Withdrawn claims 1-8 and 16-21 have been canceled without prejudice in acknowledgement of the finality of the Examiner's restriction requirement. Cancellation of claims 1-8 and 16-21 does not constitute abandonment of that aspect of the present invention, and Applicant reserves the right to file a divisional application claiming that aspect of the present invention.

Claim 14 has been amended to correctly depend from claim 13. Claim 22 has been amended to further clarify the antecedent basis for the term "first conductor".

Claims 23-29 have been newly added. Each of these claims finds support throughout Applicant's as-filed specification and claims. For example, claim 23 finds support in Figure 2; and claims 24-29 find support at page 5, line 20 to page 6, line 3 as well as Figures 1 and 2. No new matter has been added.

C. Rejections Under 35 U.S.C. 103(a)**1. Claims 9-15 and 22**

Claims 9-15 and 22 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Sakuma et al. (US Patent Application Publication 2002/0180276) in view of Goldstein et al. (US Patent No. 4,670,662). Regarding claims 9, 13-15, and 22, the Examiner

alleges that Sakuma et al. discloses a method for producing pulsed power to a load comprising each step of Applicant's claimed invention except for the switches being magnetically coupled to a toroidal core assembly. The Examiner further alleges that Goldstein et al. discloses a method for transferring stored energy to a load by providing a plurality of switching modules (503) coupled to a conductor (97) wound about toroidal core (96), and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the core/conductor design of Goldstein et al. for the conductor of Sakuma et al., for the purpose of optimizing energy transfer. Regarding claims 10-12, the Examiner alleges that Sakuma et al. further disclose the use of diodes to block energy transfer. The Examiner's rejections are hereinafter traversed and reconsideration is respectfully requested for the following reason.

Applicant's subject application claims the benefit of US Provisional Patent Application Serial No. 60/260,976 entitled "Energy Storage Device" that was filed on January 11, 2001. Rejected claims 9-15 and 22 (as well as newly added claims 23-29) are fully supported by this provisional application and, therefore, the effective filing date for Applicant's claims is January 11, 2001. Sakuma et al., on the other hand, has an earliest priority date of May 31, 2001, which is later than the filing date of the subject application. Accordingly, Sakuma et al. does not qualify as prior art with respect to Applicant's claimed invention. For this reason, Applicant respectfully requests that the rejection of claims 9-15 and 22 as being unpatentable over the combination of Sakuma et al. in view of Goldstein et al. be withdrawn.

D. Conclusion

It is believed that the foregoing remarks are fully responsive to the Office Action and that claims 9-15 and 22-29 are in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested.

If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

The Examiner is hereby authorized to apply any credits or charge any deficiencies related to this Amendment to our Deposit Account No. 23-1665.

Respectfully submitted,
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